

3277. CEREAL LEAF BEETLE

State Exterior Quarantine

A quarantine is established against the following pest, its hosts, and possible carriers:

A. Pests. Cereal leaf beetle (*Oulema melanopus*).

A beetle, family Chrysomelidae, which is a destructive leaf feeder. Wheat, barley, and oats are the principal crops attacked by both larva and adult.

B. Area Under Quarantine. All states and districts of the United States east of and including Minnesota, Iowa, Missouri, Arkansas and Louisiana.*

1. Infested Area. The states of Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia shall be known as the Infested Area. **See additional infested areas, Appendix B.**

2. Area Not Known To Be Infested. Any state in the Area Under Quarantine (see B above) but not named in the Infested Area (see B.1 above) shall be known as the Area Not Known To Be Infested.

C. Commodities and Items Covered. Small grains such as barley, oats, and wheat; ear corn; straw and hay, including marsh hay (*Spartina patens*), (pelletized is not covered); grass sod; grass and forage seed; fodder and plant litter; used harvesting equipment or machinery; and cut or balled Christmas trees of Scotch pine (*Pinus sylvestris*), red pine (*Pinus resinosa*), and Austrian pine (*Pinus nigra*), including all subspecies thereof.

D. Restrictions

1. Exemption of Commodities Covered.

The following commodities are exempt from all restrictions of this quarantine.

- Grain sorghum, shelled corn, and soybeans.
- Small grain seed, grass seed, and forage seed when cleaned and shipped in bags or small packages.
- All straw and hay that has been used as bedding for animals during shipment **and all compressed baled hay and straw.**
- Small grains shipped during the period of February 1, to April 30 inclusive, each year.**

2. Commodities and Items Covered

Items From Quarantined Area if Treated at Origin.

- Commodities and items covered are admissible into California from the area under quarantine provided each lot or shipment is officially certified by an authorized representative of the origin state department of agriculture or the United States Department of Agriculture affirming that the lot or shipment was treated prior to shipment under official

supervision in a manner approved by the Secretary of the Department of Food and Agriculture and was not exposed to re-infestation.

3. Commodities and Items Covered

Admitted Under Certification as to Origin.

- Commodities covered which are grown in and shipped from the Area Not Known To Be Infested are enterable into California provided each lot or shipment is officially certified by an authorized representative of the state department of agriculture where shipment was made, or the United States Department of Agriculture, giving the date and state or states where the commodities were produced.

A rubber stamp that bears a facsimile signature of the proper state official may be issued to shippers that are under state supervision. Imprints of such a stamp placed on the waybills accompanying shipments will be acceptable as an authorized certificate.

- Used harvesting equipment or machinery from the Area Not Known To Be Infested may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification, the used harvesting equipment or machinery shall not have been used in any infested state for a period of one year prior to shipment.
- Used harvesting equipment or machinery from the area under quarantine may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification, the used harvesting equipment or machinery shall not have been used from April through August of the current year.

4. Small Grains, Grass Seed, and Forage Seed from Area Not Known to be Infested

Admitted Under Certificate of Inspection.

- Small grains such as barley, oats, and wheat; and grass and forage seed, produced in an area not known to be infested as specified in subsection B.2 (above) may be admitted under certification signed by an agricultural official of the state of origin. The certificate shall affirm that the lot or shipment has been inspected and found free of cereal leaf beetle (both live and dead). The inspection for such certification shall consist of representative samples from individual truck or rail car lots to be shipped and at least ten (10) representative samples from the tip and intermediate areas (inspection holes) of silos.

5. Commodities and Items Covered Allowed Movement Under Permit From the Secretary.

- The Secretary may issue permits admitting commodities and items covered, subject to limitations, conditions, and provisions that may be prescribe therein.

* PLEASE REFER TO APPENDIX B FOR ADDITIONAL INFESTED AND QUARANTINED AREAS.

** SEE APPENDIX C FOR ADDITIONAL INFORMATION

CLARIFICATIONS

APPENDIX A

07-17-03

For the purpose of this quarantine "Small grains such as..." means barley, oats, wheat, ear corn, and rye.

For the purpose of this quarantine the following are not considered "small grains" and are exempt from the quarantine: millet, rice, sesame seed, flax, grain sorghum, shelled corn, soy beans, and buckwheat.

Straw and hay means straw and hay from the small grains, it does not include alfalfa hay, or straw from any grain not listed as "small grains." Hay or straw made into wreaths would be considered a processed product and would be exempt from the quarantine.

For the purposes of this quarantine, shipments of up to 10 bales of hay, carried by private parties for personal use (typically for use as feed for accompanying animals) may be inspected and released if no signs of cereal leaf beetle are found. **All compressed baled hay shipments must be inspected and found free of the pest (adults and larvae).**

For the purpose of this quarantine (see **D.1.b**) "seed when cleaned and shipped in bags or small packages" is exempt from all quarantine restrictions when shipped in bags or packages of 100 pounds or less, regardless of the number of bags per shipment. Bags or packages larger than 100 pounds would require applicable certification.

ADDITIONAL AREAS AND PORTIONS THEREOF UNDER QUARANTINE

APPENDIX B

10-07-03

Any state listed below is regulated as an area under quarantine. Listed also are the counties in each state known to be infested.

State Infested Area

Colorado	Boulder, Larimer, Routt, and Weld counties.
Idaho	Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonner, Bonneville, Butte, Boundary, Camas, Canyon, Caribou, Cassia, Clark, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Kootenai, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington counties.
Kansas	Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Leavenworth, Linn, Lyon, Miami, Nemaha, Neosho, Osage, Pottawatomie, Shawnee, Wilson, Woodson, and Wyandette counties.
Montana	Beaverhead, Big Horn, Broadwater, Carbon, Carter, Cascade, Choteau, Custer, Dawson, Deer Lodge, Fergus, Flathead, Gallatin, Garfield, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Pondera , Powder River, Powell, Prairie, Ravalli, Richland, Rosebud, Sanders, Silver

Bow, Stillwater, Sweet Grass, Teton, Treasure, and Yellowstone counties.

North Dakota McKenzie and Williams counties.

Oregon Baker, Benton, Clackamas, Columbia, Crook, Deschutes, Jefferson, Lane, Linn, Malheur, Marion, Multnomah, Polk, Tillamook, Umatilla, Union, Wallowa, Washington, and Yamhill counties.

Utah Box Elder, Cache, Carbon, Davis, Duchesne, Juab, Morgan, Rich, Salt Lake, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, and Weber counties.

Washington Adams, Asotin, Clark, Columbia, Ferry, Franklin, Garfield, Grant, Kittitas, Lewis, Lincoln, Pend Oreille, Spokane, Stevens and Whitman counties.

Wyoming Big Horn, Hot Springs, Johnson, Park, Platte, Sheridan, and Washakie counties.

Canada Provinces of British Columbia (Creston Valley), Ontario and Quebec.

Commodities and items covered under the Cereal Leaf Beetle Exterior Quarantine should be admitted from the above infested areas only if certified as treated by a state agricultural official at origin. Covered commodities and items originating from the above infested areas, which are not certified as treated by a state agricultural official at origin, should be rejected under authority of Section 6461.5 of the FAC.

Commodities and items covered originating from un-infested areas should be admitted only under a certificate of origin or inspection issued by the origin state agricultural official. Regulated commodities from un-infested areas without an origin certificate should be rejected under authority of Section 6461.5 of the FAC.

PERMITS FOR THE SHIPMENT OF REGULATED ARTICLES

APPENDIX C

12-01-02

1. Small grains. Pending a formal amendment of the regulation, **Master Permit No. QC 523** has been issued to Idaho, Iowa, Montana, North Dakota, Oregon, Utah and Washington to authorize producers/shippers in those states to ship small grains into California during the period of December 1 to April 30 inclusive, subject to inspection by plant regulatory officials in this state, and under the following conditions:

Only small grains produced (grown) and stored in Idaho, Iowa, Montana, North Dakota, Oregon, Utah and Washington are authorized to ship under the terms of this permit.

Violation of or inability to meet any of the conditions of this permit, or the detection of any live serious pests in any shipment authorized by this permit, shall be sufficient cause for immediate revocation of the permit and destruction of the small grains, or return of the small grains to origin at the expense of the shipper.

Unless earlier revoked, this permit is valid through April 30, 2003.